



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAR 20 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gary Sinawski, Esquire
250 West 57th Street
Suite 2015
New York, New York 10107

RE: MUR 4713

Dear Mr. Sinawski:

On February 2, 2000, the Federal Election Commission reviewed the allegations in your complaint filed January 30, 1998, but was equally divided on whether the Democratic National Committee, and Carol Pensky, as treasurer ("DNC"), violated 2 U.S.C. § 441a(a)(2)(A); 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(b); and 2 U.S.C. § 434(b)(4), whether the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer ("Primary Committee"), violated 2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a); 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a); and 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4), and 11 C.F.R. §§ 104.13(a)(1) and 104.13(a)(2), and whether President William J. Clinton ("President Clinton") violated 2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a); 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).

In addition, there was an insufficient number of votes to find reason to believe that, with respect to the television advertisements Protect, Moral, Emma, Sand, Families, Threaten, Firm, Presidents, People and Children, the DNC violated 2 U.S.C. § 441a(a)(2)(A); 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(b); and 2 U.S.C. § 434(b)(4), whether the Primary Committee violated 2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a); 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a); and 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4), and 11 C.F.R. §§ 104.13(a)(1) and 104.13(a)(2), and whether President Clinton violated 2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a); 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).

The Commission was equally divided on whether, with respect to the advertisements Slash, Table, Challenges, Welfare, Victims, No, Stop, Proof, Facts, Supports, Photo, Background, Help, Finish, Same, Side, Dreams, Defends, Values, Another, Enough and Economy, the DNC violated 2 U.S.C. § 441a(a)(2)(A); 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(b); and 2 U.S.C. § 434(b)(4), whether the Primary Committee violated 2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a); 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a); and 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4), and 11 C.F.R. §§ 104.13(a)(1) and 104.13(a)(2),

and whether President Clinton violated 2 U.S.C. § 441a(f); 2 U.S.C. § 441b(a); 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).

On February 8, 2000, the Commission again considered these matters, but there was an insufficient number of votes to find reason to believe that the DNC violated 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 106.5(a).

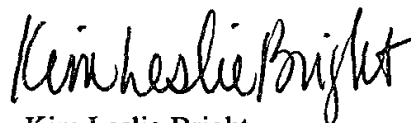
On March 9, 2000, the Commission again considered these matters, and found, on the basis of the information in the complaint, that there is no reason to believe that the DNC, the Primary Committee, President Clinton or Harold Ickes, Esquire ("Mr. Ickes") violated any statute or regulation within the jurisdiction of the Federal Election Commission with respect to the allegations in MUR 4713 unrelated to the advertisements funded by the Democratic National Committee, and that there is no reason to believe that Mr. Ickes violated any statute or regulation within the jurisdiction of the Federal Election Commission. Accordingly, the Commission closed the files in this matter. Copies of the General Counsel's Reports are enclosed for your information. A Statement of Reasons providing a basis for the Commission's decision will follow.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Joel J. Roessner, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Kim Leslie Bright
Associate General Counsel

Enclosures
General Counsel's Reports
Certifications of Commission action